

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c))-SMALL BUSINESS CONCERN

D T NUMBER: NGN97-01pA

Applicants or Patentees: Huw M. Nash, Seth Birnbaum, Edward A. Wintner, Krishna Kalghatgi, Gerald Shipps and Satish Jindal

Serial or Patent No.: 09/024,592

Filed or Issued: February 17, 1998

Title: Method for Producing and Screening Mass-Coded Combinatorial Libraries for Drug Discovery and Target Validation

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN NeoGenesis, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 840 Memorial Drive, Cambridge, Massachusetts 02139

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.

☐ each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Allen H. Michels

TITLE OF PERSON IF OTHER THAN OWNER CEO

ADDRESS OF PERSON SIGNING 840 Memorial Drive, Cambridge, MA 02139

SIGNATURE Allen H. Michels DATE 5-26-98

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory pages commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Method for Producing and Screening Mass-Coded Combinatorial Libraries  
for Drug Discovery and Target Validation

the specification of which (check one)

☐ is attached hereto.

☒ was filed on February 17, 1998 as United States Application  
Number or PCT International Application Serial No. 09/024,592  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			Priority Not Claimed
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/070,456</u> (Application Number)	<u>January 5, 1998</u> (Filing Date)
_____ (Application Number)	_____ (Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
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(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
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(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
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(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
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As a named inventor, I hereby appoint the attorneys and/or agents associated with

Hamilton, Brook, Smith & Reynolds, P.C.  
2 Militia Drive  
Lexington, Massachusetts 02173  
Customer No. 21005

to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the attorneys and/or agents associated with Customer No. 21005 to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states;

and \_\_\_\_\_

Send correspondence to: Patricia Granahan, Esq.  
Hamilton, Brook, Smith & Reynolds, P.C.  
Two Militia Drive, Lexington, MA 02173


Direct telephone calls to: Patricia Granahan, Esq.  
(781) 861-6240

Direct facsimiles to: Patricia Granahan, Esq.  
(781) 861-9540

66760-3702-2000


1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

or first inventor Huw M. Nash  
Inventor's  
Signature H M. Nash Date May 6, 1998  
Residence 24 Antrim Street, #1  
Cambridge, Massachusetts 02139  
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inventor, if any Seth Birnbaum  
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inventor, if any Edward A. Wintner  
Inventor's Signature E. A. Wintner Date 5/6/98  
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inventor, if any Krishna Kalghatgi  
Inventor's Signature *Krishna Kalghatgi* Date 5/8/98  
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inventor, if any Gerald Shipp  
Inventor's  
Signature  Date 5/8/98  
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Citizenship USA  
Post Office Address same as above

inventor, if any Satish Jindal  
Inventor's Satish Jindal  
Signature Satish Jindal Date 05/06/98  
Residence 20 Norman Street  
Milton, Massachusetts 02186  
Citizenship USA  
Post Office Address same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Huw M. Nash, Seth Birnbaum, Edward A.  
Wintner, Krishna Kalghatgi and Satish Jindal  
Application No.: 09/024,592 Group Art: 2751  
Filed: February 17, 1998 Examiner: not assigned  
For: METHOD FOR PRODUCING AND SCREENING MASS-CODED  
COMBINATORIAL LIBRARIES FOR DRUG DISCOVERY  
AND TARGET VALIDATION

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>6/2/98</u>	<u>Jean Hibino</u>
Date	Signature
Jean Hibino	
Typed or printed name of person signing certificate	

TRANSMITTAL OF VERIFIED STATEMENT CLAIMING  
SMALL ENTITY STATUS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please file the enclosed Verified Statement Claiming Small Entity Status in the above-identified patent application.

A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

Edgar W. Harlan, Jr.  
Edgar W. Harlan, Jr.  
Registration No. P42,632  
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Lexington, Massachusetts 02173

Dated: June 2, 1998